

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

ANDREW JOSTEN LOVINGOOD,

Plaintiff,

v.

No. 3:19-cv-00009

BILL JOHNSON, DERRICK GRAVES;

Defendants.

MOTION IN LIMINE NO. 1

Comes the Defendant Bill Johnson, and respectfully moves the court in limine to preclude Plaintiff from introducing any proof, putting forth as a cognizable claim that this Defendant may be held liable under the so called "failure to intervene" theory pursuant to 42 U.S.C. §1983 or any other statutory or common law theory. The same was never plead, and never acquiesced by this Defendant in any pleading or order. Accordingly, it is respectfully submitted that this that the Motion in Limine be granted.

RESPECTFULLY SUBMITTED this 15th day of November, 2021.

s/ Arthur F. Knight, III
Arthur F. Knight, III, BPR #016178
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CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2021, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by U.S. Mail. Parties may access this filing through the Court's electronic filing system.

s/Arthur F. Knight, III
Arthur F. Knight, III